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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/476,455	12/30/1999	KAZUHIRO FUJII	SIC-99-047	7874

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EXAMINER

MORRISON, NASCHICA SANDERS

ART UNIT PAPER NUMBER

3632

DATE MAILED: 04/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/476,455

Applicant(s)

FUJII, KAZUHIRO

Examiner

Naschica S Morrison

Art Unit

3632

-- **Th MAILING DATE of this communication app ars on the cover sheet with the correspondenc address --**
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,12-19 and 21-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16,17,19,27,28 and 31-43 is/are allowed.
- 6) ☒ Claim(s) 10,12-15,18,21-26,29 and 44-47 is/are rejected.
- 7) ☒ Claim(s) 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is the third Office Action for serial number 09/476,455, Bell Crank Assembly and Mounting Bracket for a Bicycle Hub, filed on December 30, 1999. Claims 10, 12-19 and 21-47 are pending.

Claim Objections

Claims 26 and 47 are objected to because of the following informalities: on lines 4 and 6 respectively, --rear-- should be inserted before "frame mounting" to provide consistent terminology within the claims. Appropriate correction is required.

Claim 30 is objected to because of the following informalities: lines 5-6 should be deleted since the limitation recited therein is repeated/further limited by lines 12-13. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 10, 12-15, 18, 21-26, 29, and 44-47 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,257,533 to Pei et al. (Pei). Regarding claims 10, 12-15, 18, 21-26, 29, and 44-47, Pei discloses a one-piece mounting bracket (Fig. 2 - see attached marked-up copy) comprising: a mounting bracket portion (A) having an

upwardly facing surface (top surface of A), an inclined transition portion (B) extending downwardly from the mounting bracket portion (A), a rear frame portion (C,D,E) defining an opening (42) in a surface that faces laterally (i.e. sideways), a mounting member (372 generally) disposed on the sides of the transition portion (B) and including first and second opposed mounting ears (36) projecting laterally (defined as "situated on or coming from the side"), and a front frame mounting member (F) one-piece with and extending perpendicular to and downward from the mounting bracket portion (A).

Response to Arguments

Applicant's arguments with respect to claims 10,12-15,18, 21-26, 29, and 44-47 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims 16,17,19, 27,28, and 31-43 are allowed.

Claim 30 would be allowable if rewritten to overcome the claim objection above.

The following is an examiner's statement of reasons for allowance: Regarding claims 27 and 30, although the prior art of record discloses many of the limitations of the claims, it fails to further teach/suggest a mounting bracket including a wire guide disposed on the transition bracket portion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 2001/0046916 to Fujii discloses a mounting bracket for a bicycle.


Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Naschica S. Morrison, whose telephone number is (703) 305-0228. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax machine telephone number for the Technology Center is (703) 305-3598 (formal amendments) or (703) 308-3686 (informal amendment/communication).

Any inquiry of a general nature or relating to the status of this Application should be directed to the Technology Center receptionist at (703) 308-2168.


Naschica S. Morrison
Patent Examiner-Art Unit 3632
4/10/02


LESLIE A. BRAUN
SUPERVISORY PATENT EXAMINER

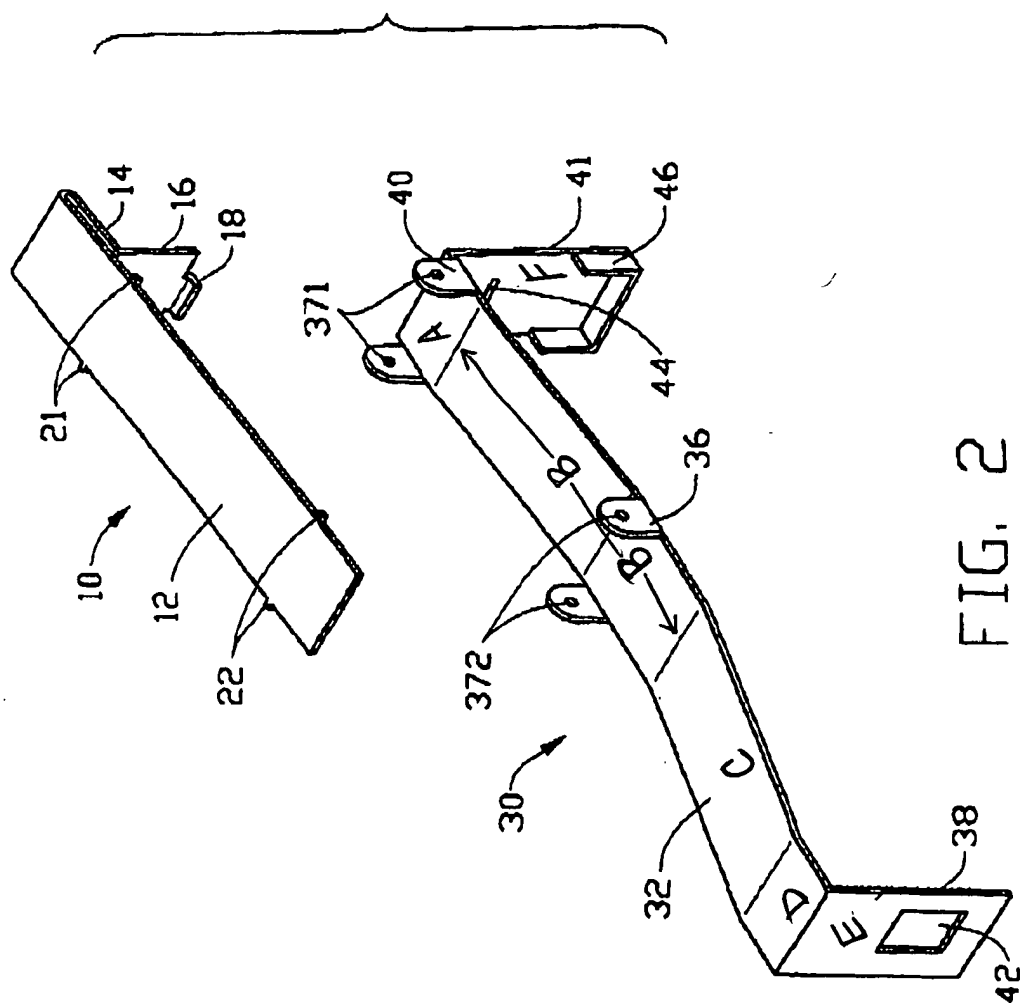


FIG. 2